

REMARKS

Claims 2 – 7, 10 - 18 and 21 – 25, 27 – 29 and 35 - 41 are pending. Claims 8, 9 and 30 – 34 are canceled herein without waiver or prejudice; claims 1, 19, 20 and 26 were previously canceled. No new matter has been introduced by this amendment into the specification and/or claims.

As an initial matter Applicant acknowledges the detailed and thorough analysis made by the Examiner to the purported third party prior art provided in the form of the Hunt declaration and exhibits from representatives for Netflix. The Examiner's conclusion that these materials are not credible and/or sufficient to constitute prior art appears well supported by the case law and the evidence of record.

The Applicant further appreciates the careful review given by the Examiner to the subject matter of the present claims. Entry of the present amendment is earnestly requested as it cancels all non-allowed claims and thus does not raise any new issues or require further Examiner search or consideration. Note that while the Applicant does not agree with the reasoning for the rejection of claims 8, 9 and 30 - 34, he does not believe it is productive to prolong such discussions in a manner which impedes progress towards issuance of the subject matter already allowed in the present application. Consequently the Applicant submits that it makes more sense to address such issues if necessary in a continuing application so as to secure early allowance of the remaining claims.

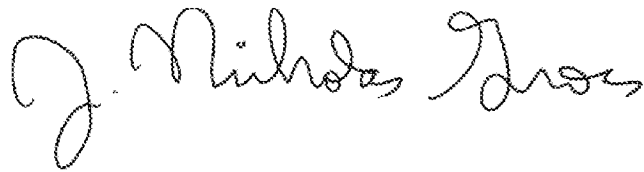
New claims 35 – 41 merely add further limitations to base claim 7 which is already allowed. Support for such claims can be found in the specification at among other places: FIG. 2 and associated disclosure discussion for reference numeral 220 including at page 9, ll. 15+; page 11, ll. 23 – 30 (claims 35, 36); FIG. 3A and associated disclosure discussion for reference numeral 320 including at page 16, ll. 11 - 23 (claim 37); FIG. 2, discussion for reference numerals 230, 240 and associated disclosure at page 13, ll. 8 – page 15, ll. 12 (particularly page 14, ll. 25 – 30); FIG. 3A and associated disclosure discussion for reference numeral 330 including at page 16, ll. 27 - 32 (claims 38, 39); FIG. 2 and associated disclosure discussion for reference numeral 230 including at page 9, ll. 15+; page 11, ll. 23 – 30; FIG. 4 and associated disclosure for

reference numerals 485, 490 and 495 at page 20, ll. 14 – page 21, l. 2 (claim 40); FIGs. 3A and 3B and associated disclosure discussion for URLs at 320, 330 (claim 41). Consequently these should be in condition for allowance as well.

Please charge all necessary fees due for the additional new seven (7) dependent claims to deposit account no. 501-244.

Should the Examiner wish to discuss anything related to this case in person, feel free to contact the undersigned at any convenient time.

Respectfully submitted,

A handwritten signature in black ink, reading "J. Nicholas Gross". The signature is written in a cursive, flowing style.

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September 26, 2007
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